

**APPENDIX**

**Sent To Governor**

**January 11, 1973**

S.C.R. 4

S.C.R. 5

**FOURTH DAY**

(Monday, January 15, 1973)

The Senate met at 3:00 o'clock p.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Clower, Creighton, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

The following Senators were absent-excused: Brooks and Gammage.

A quorum was announced present.

The Reverend Fred Bomar offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**LEAVES OF ABSENCE**

Senator Gammage was granted leave of absence for today on account of important business on motion of Senator Wallace.

Senator Brooks was granted leave of absence for today on account of important business on motion of Senator Hightower.

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor were read and filed with the Secretary of the Senate:

Austin, Texas  
January 15, 1973

**TO THE SENATE OF THE SIXTY-THIRD LEGISLATURE, REGULAR SESSION:**

I ask the advice, consent, and confirmation of the Senate with respect to the following appointments:

To be a Member of the North Texas State University, Board of Regents: To fill the unexpired term of Gus S. Wortham, of Houston, Harris County, who resigned, term to expire May 22, 1975: V. F. (Doc) Neuhaus, of Mission, Hidalgo County.

To be Members of the Gulf Coast Waste Disposal Authority: For terms to expire August 31, 1974: Thomas F. Jenkins, of Winnie, Chambers County, for reappointment; Frank L. Jennings, M.D., of Galveston, Galveston County, for reappointment.

To be Members of the Texas State Historical Survey Committee: For six-year terms to expire January 1, 1979: Mrs. Wesley B. Blankenship, of Lubbock, Lubbock County, for reappointment; Mrs. J. Douglas Toole, Sr., of Houston, Harris County, for reappointment; Vernon Smylie, of Corpus Christi, Nueces County, to replace Lester W. Prokop, of Houston, Harris County; Mrs. Dan S. Petty, of Austin, Travis County, to replace Mrs. Will E. Wilson, of Beaumont, Jefferson County; John Beretta, of San Antonio, Bexar County, to replace Dr. Herbert Gambrell, of Dallas, Dallas County; Dr. Billy Mac Jones, of San Marcos, Hays County, to replace Charles Schreiner, III, of Mountain Home, Kerr County.

To be a Member of the Nueces River Authority: For a term to expire February 1, 1977: Ogden D. (Buster) Dooley, of Bracketville, Kinney County, to replace M. L. Gaddis, of Cotulla, LaSalle County, deceased.

To be Members of the Texas Offshore Terminal Commission: For terms to expire January 31, 1974: Floyd L. Dellinger, of Sugar Land, Fort Bend County; R. H. Pruett, of Baytown, Harris County; Sherman S. Fricks, of Deer Park, Harris County; For terms to expire January 31, 1976: George R. Brown, of Houston, Harris County; Pete S. Miller, of Galveston, Galveston County; H. H. (Country) Reynolds, of Beaumont, Jefferson County; For terms to expire January 31, 1978: Joseph L. Albritton, of Houston, Harris County; Captain William F. Fredeman, of Port Arthur, Jefferson County; P. Burgess Griesenbeck, of Austin, Travis County.

In accordance with H.B. 52, 62nd Legislature, Fourth Called Session, I am hereby designating Joseph L. Albritton, of Houston, Harris County, as Chairman of this Commission.

To be a Member of the Neches River Conservation District Board of Directors: To fill the unexpired term of The Honorable Ottis E. Lock, of Lufkin, Angelina County, who resigned, term to expire September 5, 1973: Bob Bowman, of Lufkin, Angelina County.

To be a Member of the Texas Board of Private Investigators and Private Security Agencies: To fill the unexpired term of Captain Bob Crowder, of Dallas, Dallas County, deceased, term to expire January 31, 1973: James T. Hale, Jr., of Houston, Harris County.

Respectfully submitted,  
PRESTON SMITH  
Governor of Texas

Austin, Texas  
January 12, 1973

TO THE MEMBERS OF THE SIXTY-THIRD LEGISLATURE, REGULAR SESSION:

Pursuant to the provisions of Section 5 of Article III of the

Constitution of the State of Texas, I herewith submit as an emergency matter the following:

An Appropriation out of the General Revenue Fund to provide for an adequate staff, office space, equipment, supplies and other necessary expenses for the Constitutional Revision Commission as provided for in the constitutional amendment adopted by the voters of Texas in November of 1972.

Respectfully submitted,  
PRESTON SMITH  
Governor of Texas

Austin, Texas  
January 12, 1973

**TO THE MEMBERS OF THE SIXTY-THIRD LEGISLATURE, REGULAR SESSION:**

Pursuant to the provisions of Section 5 of Article III of the Constitution of the State of Texas, I herewith submit as an emergency matter the following:

An extension of the Governor's Committee on Human Relations as established by Acts 1969, 61st Legislature, page 1495, Chapter 446, to provide that the Governor's Committee on Human Relations continue in existence through August 31, 1973.

And to further provide a supplemental appropriations out of the General Revenue Fund to the Governor's Committee on Human Relations to provide operating expenses at the current rate to enable the Governor's Committee on Human Relations to operate for the remainder of the fiscal year ending August 31, 1973.

Respectfully submitted,  
PRESTON SMITH  
Governor of Texas

**HOUSE CONCURRENT RESOLUTION 1 ON SECOND READING**

The President Pro Tempore laid before the Senate the following resolution:

H.C.R. 1, Providing for a Joint Session of the 63rd Legislature at 11:00 o'clock a.m. January 17, 1973, to hear address of The Honorable Dolph Briscoe, Governor of Texas.

On motion of Senator Hightower and by unanimous consent, the resolution was considered immediately and was adopted.

**COMMITTEE APPOINTED**

Pursuant to the provisions of H.C.R. 1, the President Pro Tempore announced the appointment of the following Committee to escort Governor Dolph Briscoe to the Joint Session: Senators Aikin, Snelson, Andujar, Patman and Wallace.

**SENATE CONCURRENT RESOLUTION 8**

Senator Herring offered the following resolution:

S.C.R. 8, Requesting Governor to recommend the closing of state offices and departments at noon on Tuesday, January 16, 1973 for Inauguration ceremonies.

On motion of Senator Herring and by unanimous consent, the resolution was considered immediately and was adopted.

#### **APPRECIATION EXPRESSED TO PARLIAMENTARIAN FRANK ELLIOTT**

Senator Hightower asked unanimous consent that Senator Aikin be recognized to make certain appropriate remarks at this time.

There was no objection.

The President Pro Tempore then recognized Senator Aikin, who expressed appreciation to Frank Elliott for his service as Parliamentarian of the Senate.

#### **ANNOUNCEMENT REGARDING SENATE RULES**

Senator Schwartz announced that copies of the proposed Senate Rules had been laid upon the Members' desks and that they would be brought up for consideration on Wednesday, January 17, 1973, following Morning Call.

#### **SENATE RESOLUTION 7**

Senator Mauzy offered the following resolution:

S.R. 7, Memorializing the good works of Martin Luther King, Jr.

The resolution was read and adopted.

#### **RECORD OF VOTE**

Senator Mengden asked to be recorded as voting "Nay" on the adoption of the above resolution.

#### **REASON FOR VOTE**

I voted against this resolution because I do not believe we should pass a resolution just because we are sorry that Mr. King was assassinated. Others who have been assassinated include Malcolm X, the black power leader, and George Lincoln Rockwell, the head of the American Nazi party. Should we pass resolutions praising them also? Obviously not - it is necessary for a person to have done something good for society, not just the fact he was killed.

Did Martin Luther King make any positive contributions for good to Society?

He did favor equal rights for blacks but how did he go about it? By encouraging both blacks and whites to engage in unlawful acts, such as sit-ins and illegal demonstrations. Martin Luther King helped make popular the concept that if one did not agree with a law one should violate it. This concept is totally alien to the belief of rule by law in civilized society. If one does not agree with a law, one can speak against it, work to have it changed or repealed, try to convince others that it is wrong, etc. But the one thing you should not do is to break that law.

But Martin Luther King did and encouraged others to break laws. Despite the good publicity he got in the press, King's advocating of breaking laws one disagrees with contributed mightily to the lawlessness, riots, demonstrations and crime that our country experiences today.

A man that should know the true facts, J. Edgar Hoover, former head of the F.B.I., had King under surveillance for his many connections with various

subversive elements and declared that Martin Luther King was, "one of the biggest liars in the country."

When the attention of the Press and the radicals turned away from civil rights in the mid 1960's to the war in Viet Nam, King hopped on the bandwagon and turned his attention away from civil rights and to the war. Despite the fact we were helping South Viet Nam defend itself against Communist aggression, Martin Luther King called the United States "the greatest perpetrator of violence in the history of the world."

Should we honor a man who falsely and maliciously called his country "the greatest perpetrator of violence in the history of the world?"

I say no!! Instead, let us pass resolutions honoring the many thousands of loyal Americans - black, white, and brown - who fought and died for their country and to preserve freedom from communist aggression.

Let us not defile the memory of these young men by honoring a man who slandered his own country.

MENGDEN

### RECESS

On motion of Senator Aikin the Senate at 3:55 o'clock p.m. took recess until 11:15 o'clock a.m. tomorrow.

### FOURTH DAY

(Continued)

(Tuesday, January 16, 1973)

### After Recess

The Senate met at 11:15 o'clock a.m. and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present: Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

The following Senators were absent-excused: Adams, Gammage and Longoria.

### LEAVES OF ABSENCE

Senator Adams was granted leave of absence for today on account of illness on motion of Senator Aikin.

Senator Gammage was granted leave of absence for today on account of important business on motion of Senator Hightower.

Senator Longoria was granted leave of absence for today on account of important business on motion of Senator Hightower.